IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CRIMINAL APPLICATION No 1045 of 2000

For Approval and Signature:

Hon'ble MR.JUSTICE S.K.KESHOTE

==========

1. Whether Reporters of Local Papers may be allowed to see the judgements? : NO

2. To be referred to the Reporter or not? : NO

3. Whether Their Lordships wish to see the fair copy of the judgement? : NO

4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder? : NO

5. Whether it is to be circulated to the Civil Judge? : NO

---

MAYABHAI VISABHAI AHER

Versus

STATE OF GUJARAT

---

Appearance:

MRS MADHUBEN SHARMA for Petitioners

MR SAMIR J DAVE, APP, for Respondent No. 1

---

CORAM : MR.JUSTICE S.K.KESHOTE

Date of decision: 13/03/2001

ORAL JUDGEMENT

The learned counsel for the respondnent states that all the petitioners have already been released and in view of this fact this petition has become

infructuous. I find from para 13(C) of the petition that the petitioners in this petition have prayed for a direction to the Governmetn to decide their case for premature release on completion of their 14 years in jail including remission earned and granted. In fact, this is only a substantial prayer and when the petitioenrs have already been released, nothing more now survives in this petition. The petition has become infructuous. Accordingly, the petition is dismissed as having become infructuous. Rule is discharged with no order as to costs.

***

(mohd)